

ORDINANCE NO. 12-889

WHEREAS, Tommy Drake and Phyllis Charlene Drake have petitioned the governing body of the City of Huntsville, Alabama, requesting that certain property or territory be annexed to the City of Huntsville, Alabama; and

WHEREAS, said petition contained the signatures of the owners of the property as the same is assessed for ad valorem tax purposes; and

WHEREAS, said property is contiguous to the present city limits of the City of Huntsville, Alabama, and does not lie within the corporate limits of any other municipality; and

WHEREAS, a map of said territory showing its relationship to the corporate limits of the City of Huntsville, Alabama, has been filed with the City Clerk-Treasurer; and

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that it is necessary and proper and in the public interest that said property be brought within the corporate limits of the City of Huntsville, Alabama;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows;

1. That the City Council of the City of Huntsville, Alabama hereby assents to the annexation of certain property to the City of Huntsville, Alabama, which said property as hereinabove referenced is more particularly described as follows:

All that part of the Northwest Quarter of Section 11, Township 5 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the northwest corner said Section 11; thence from the point of beginning Due South 918.32 feet; thence South 89 degrees 10 minutes 26 seconds East 2255.04 feet to the point of true beginning; thence from the point of true beginning North 00 degrees 57 minutes 37 seconds East 95.72 feet; thence South 89 degrees 32 minutes 18 seconds East 32.01 feet; thence North 00 degrees 27 minutes 36 seconds East 100.72 feet; thence North 63 degrees 10 minutes 42 seconds East 50.50 feet to a point located on the east right-of-way of Old Big Cove Road; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence along said right-of-way South 41 degrees 47 minutes 52 seconds East 11.26 feet; thence South 51 degrees 35 minutes 51 seconds East 135.96 feet; thence leaving said right-of-way and existing corporate limits South 26 degrees 38 minutes 14 seconds West 111.27 feet; thence South 57 degrees 43 minutes 14 seconds West 44.28 feet; thence South 88 degrees 43 minutes 41 seconds West 107.03 feet to the point of beginning and containing 0.64 acres, more or less.

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2. That the corporate limits of the City of Huntsville, Alabama, are hereby extended and rearranged so as to embrace and include the hereinafter property as part of the corporate area of the City of Huntsville.

3. That this ordinance shall become effective upon its publication as required by law.

4. That the Mayor and City Clerk-Treasurer of the City of Huntsville, Alabama, are hereby authorized, requested and directed for and on behalf of the governing body of the City to file a description of the property or territory herein annexed in the Judge of Probate Office of Madison County.

ADOPTED this the ____ day of _____, 2012.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the ____ day of _____, 2012.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA
COUNTY OF MADISON

PETITION FOR ANNEXATION TO THE CITY OF
HUNTSVILLE, ALABAMA, UNDER ACT NO. 2228
S.134, 1971 REGULAR SESSION

TO: The City Clerk-Treasurer of the City of Huntsville, Alabama

The undersigned, Tommy Drake and Phyllis Charlene Drake hereby petition the Mayor and City Council of the City of Huntsville, Alabama, to bring the hereinafter described property within the corporate limits of the City of Huntsville under the provisions of Act No. 2228, S. 134, of the 1971 Regular Session of the Legislature of Alabama. The undersigned respectfully request that the property or territory hereinafter described be annexed to the City of Huntsville. We further certify that we have the right and authority to make and file this petition for annexation, that said property is contiguous to the existing corporate limits of the City of Huntsville, Alabama, which said City has a population of more than 2,000, and that said property does not lie within the corporate limits of any other municipality, and we do hereby respectfully petition the Mayor and City Council of the City of Huntsville to adopt an ordinance assenting to the annexation of said property to the City of Huntsville. We further certify that the property is assessed for ad valorem tax purposes in the names of Tommy Drake and Phyllis Charlene Drake.

All that part of the Northwest Quarter of Section 11, Township 5 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the northwest corner said Section 11; thence from the point of beginning Due South 918.32 feet; thence South 89 degrees 10 minutes 26 seconds East 2255.04 feet to the point of true beginning; thence from the point of true beginning North 00 degrees 57 minutes 37 seconds East 95.72 feet; thence South 89 degrees 32 minutes 18 seconds East 32.01 feet; thence North 00 degrees 27 minutes 36 seconds East 100.72 feet; thence North 63 degrees 10 minutes 42 seconds East 50.50 feet; to a point located on the east right-of-way of Old Big Cove Road; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence along said right-of-way South 41 degrees 47 minutes 52 seconds East 11.26 feet; thence South 51 degrees 35 minutes 51 seconds East 135.96 feet; thence leaving said right-of-way and existing corporate limits South 26 degrees 38 minutes 14 seconds West 111.27 feet; thence South 57 degrees 43

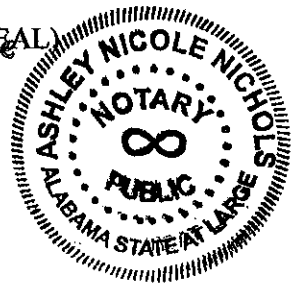
minutes 14 seconds West 44.28 feet; thence South 88 degrees 43 minutes 41 seconds West 107.03 feet to the point of beginning and containing 0.64 acres, more or less.

Attached hereto marked Exhibit A is a map of said territory showing its relationship to the corporate limits of the City of Huntsville, which said map is further identified as being entitled "Drake Property to be Annexed."

IN WITNESS WHEREOF, the undersigned have set their hand and seal the date herein indicated.

PREPARED BY
CITY OF HUNTSVILLE
PLANNING DIVISION

Phyllis Charlene Drake
Signature of Owner



STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Phyllis Charlene Drake whose name is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that, being informed of the contents of the within annexation petition, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office, this the 2nd day of October, 2012.

Ashley Nicole Nichols
NOTARY PUBLIC

MY COMMISSION EXPIRES 8-13-2016

* * * * *

Phyllis Drake

Signature of Owner (SEAL)

STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Tommy Drake whose name is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that, being informed of the contents of the within annexation petition, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office, this the 2nd day of October, 2012.

Ashley Nicole Nichols
NOTARY PUBLIC

MY COMMISSION EXPIRES 8-13-2016

